

04-17-01

SECRET

Patent  
Attorney Docket: 263/204

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## TRANSMITTAL OF MISSING PARTS

Box MISSING PARTS  
Commissioner for Patents  
Washington, DC 20231

Sir:

I. DOCUMENTS ENCLOSED:

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR § 1.53(f)**, which was mailed by the Patent Office on July 11, 2001, enclosed are:

Declaration

Power of Attorney:  Separate or  Combined with Declaration

Assignment of the invention to Atairgin Technologies, Inc. (together with PTO Form 1595)

OC-91769.1

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

CERTIFICATE  
I hereby certify that I have a reasonable basis to expect that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as 'Express Mail - Post Office To Addressee' in an envelope addressed to Commissioner for Patents, Washington, DC 20231.

Express Mail Label No.: EL622500645US  
Date of Deposit: September 12, 2001

Micheal A. Smith

A copy of the Notice to File Missing Parts of Application under 37 CFR  
§ 1.53(f)

**II. REQUEST FOR EXTENSION OF TIME:**

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply. Applicants believe this filing is timely as filed today in view of a USPTO announcement on September 11, 2001, which was promulgated by the USPTO website, which indicated that “[a]ny action or fee due on September 11, 2001, will be considered as timely for the purposes of, e.g., 35 U.S.C §§ 119, 120, 133 and 151, if the action is taken, or the fee paid, on the next succeeding business day.” If any extension fee is required, please consider this a petition therefor.

**III. FILING FEES**

Applicant claims small entity status pursuant to 37 CFR 1.27.

<b>BASIC FILING FEE:</b>						\$710.00
Total Claims	15	-	20	=	0	x \$18.00
Independent Claims	1	-	3	=	0	x \$80.00
Multiple Dependent Claims	\$270	(if applicable)			<input type="checkbox"/>	\$0.00
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)			<input checked="" type="checkbox"/>	\$130.00
<b>TOTAL OF ABOVE CALCULATIONS</b>						\$840.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.					<input checked="" type="checkbox"/>	\$420.00
Extension of Time (from above)						\$0.00
Assignment -- \$40 (if applicable)					<input checked="" type="checkbox"/>	\$40.00
<b>TOTAL FEES SUBMITTED HEREWITH</b>						\$460.00

**IV. METHOD OF PAYMENT OF FEES:**

A check in the amount of \$460.00 is enclosed to cover the above fee(s).

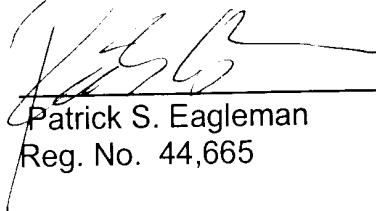
Charge Lyon & Lyon's Deposit Account No. **12-2475** in the amount of \_\_\_\_\_.

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The Commissioner is authorized to charge Lyon & Lyon's Deposit Account No. **12-2475** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. **12-2475**.

Respectfully submitted,

LYON & LYON LLP

By: 

Patrick S. Eagleman  
Reg. No. 44,665

Dated: September 12, 2001



**22249**

PATENT TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/852,066	05/08/2001	Chris Small	263/204

CONFIRMATION NO. 3766

FORMALITIES LETTER



\*OC00000006284893\*

22249  
LYON & LYON LLP  
SUITE 4700  
633 WEST FIFTH STREET  
LOS ANGELES, CA 90071-2066

Date Mailed: 07/11/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 420.**

*A copy of this notice MUST be returned with the reply.*

*Sacly*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE